

JUL 27 2005

**KILPATRICK  
STOCKTON LLP**  
Attorneys at Law

Suite 2800 1100 Peachtree St.  
Atlanta GA 30309-4530  
t 404 815 6500 f 404 815 6555  
www.KilpatrickStockton.com

July 27, 2005

**FAX**

RECIPIENT/ PHONE NO.	FAX NO.	COMPANY/ CITY, STATE, COUNTRY
Centralized Fax Dept. GAU 3749 Examiner Jiping Lu	571.273.8300	U.S. Patent and Trademark Office Alexandria, VA 22313-1450

Brenda O. Holmes  
FROM

4  
PAGES (WITH COVER)

6559  
REFERENCE NO

44471/298937  
CLIENT/MATTER NO.

**PLEASE CALL 404 815 6497 IF YOU HAVE DIFFICULTY WITH THIS TRANSMISSION.**

**CONFIDENTIALITY NOTE:**

The information contained in this fax message is being transmitted to and is intended for the use of the individual named above. If the reader of this message is not the intended recipient, you are hereby advised that any dissemination, distribution or copy of this fax is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone and destroy this fax message.

**COMMENTS**

Applicant: Miyoji MATOBA et al.  
Title: Combustion Method, Combustion Device and Combustion System for Burning Water-Fuel Emulsion Using Electromagnetic Wave Heating  
Serial No./Docket No.: 10/807,896 44471/298937  
Filed: 03/24/2004

**PAPERS SUBMITTED:**

1. PTO/SB/21 - Transmittal form; and
2. First Response in application to Restriction Requirement mailed June 29, 2005.

Date: July 27, 2005  
By: Brenda O. Holmes, Reg. No. 40,339

**TO BE COMPLETED BY KS OPERATIONS CENTER**

TRANSMISSION RECEIPT DATE/TIME: \_\_\_\_\_

COMPLETED BY: \_\_\_\_\_

JOB CODE 75330

PTO/SB/21 (09-04)

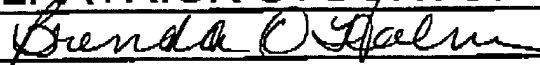
Approved for use through 07/31/2006. OMB 0651-0031

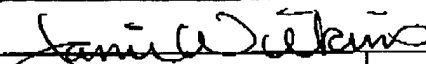
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/807,896
	Filing Date	03/24/2004
	First Named Inventor	Miyoji MATOBA et al.
	Art Unit	3749
	Examiner Name	Lu, Jiping
Total Number of Pages in This Submission	Attorney Docket Number	44471/298937

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	KILPATRICK STOCKTON LLP		
Signature			
Printed name	Brenda O. Holmes		
Date	07/27/2005	Reg. No.	40,339

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO's Centralized Facsimile Number (571) 273.8300 on the date shown below.			
Signature			
Typed or printed name	Janie Wilkins	Date	07/27/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTER

003

JUL 27 2005

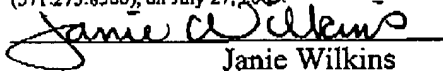
PATENTS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Miyoji MATOBA et al. ) Art Unit: 3749  
)  
Serial No. 10/807,896 ) Examiner: Lu, Jiping  
)  
Filed: March 24, 2004 )  
)  
For: Combustion Method, Combustion )  
Device and Combustion System for )  
Burning Water-Fuel Emulsion Using )  
Electromagnetic Wave Heating ) Attorney Docket No.: 44471/298937

## CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being transmitted to the  
United States Patent Office Centralized Facsimile Number  
(571.273.8300), on July 27, 2005.

  
Janie Wilkins

DATE: July 27, 2005

---

**FIRST RESPONSE**

---

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to the Office Action mailed June 29, 2005  
in connection with the above-identified application.

Claims 1-12 are pending in the application. The Examiner required Applicants  
to restrict the claims of the pending invention to one of the following species of invention:

Species I – Figure 1; or

Species II – Figure 7.

The Examiner indicated that Claims 1 and 5 are generic.

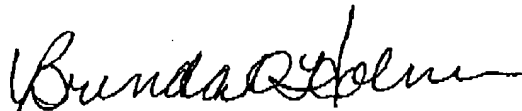
Appln. No. Serial No. 10/807,896  
Amdt. Dated July 27, 2005  
First Response in Appln, Reply to Election of Species Requirement of 6/29/2005  
Page 2 of 2

Applicants hereby elect Species II (Fig. 7). Claims 1-2, 4-5, and 7-12 are readable on the elected species. Applicants request examination of the elected species and the generic claims.

This election is made without traverse.

The foregoing is submitted as a complete response to the Office Action identified above. Applicant awaits further examination consistent with the election herein.

Respectfully submitted,



By: Brenda O. Holmes  
Reg. No. 40,339

KILPATRICK STOCKTON LLP  
1100 Peachtree Street, Suite 2800  
Atlanta, Georgia 30309-4530  
Telephone: (404) 815-6500  
Facsimile: (404) 815-6555  
Our Docket: 44471/298937